IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

Bail Appl..No. 3058 of 2007()

CRIME NO.93/07 OF KOLATHUR POLICE STATION

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: PETITIONER/ACCUSED:

ASHIQUE, S/O.MUSTHAFA,
PADIPPURA HOUSE, PERINTHALMANNA P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.K.ANAND

RESPONDENTS: STATE & COMPLAINANT:

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1. STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

2. SUB INSPECTOR OF POLICE,
KOLATHUR POLICE STATION.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3058 OF 2007

Dated this the 23rd day of May, 2007

O R D E R

Petitioner, who is the first accused in Crime No.93/07 of Kolathur Police Station for an offence punishable under Sec.353 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 29-05-2007 and 31-05-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall, thereafter, be produced on the same day before the Magistrate, who shall consider his application for regular bail, preferably on the same date on which such application is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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